

FILED

JUN 05 2014

N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

AYANA N. GIBSON, R.N.
License # 26NR12977600

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about April 30, 2013, on behalf of the Board, respondent was sent a request for documentation of all nursing continuing education credits completed since June 1, 2009. This was sent following an earlier request for documentation of continuing education. The certified mailing of the request was received on May 4, 2013. The regular mailing was not returned. No response was received.
3. Respondent indicated on her application for renewal of her nursing license on June 20, 2011 that she had completed continuing education requirements for the June 1, 2009 – May 31, 2011 renewal period by May 31, 2011.

CONCLUSIONS OF LAW

Respondent's failure to respond to the inquiry on behalf of the Board constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2 and 1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Respondent's failure to document completion of continuing education requirements for the 2009-2011 renewal cycle constitutes a violation of N.J.A.C. 13:37-5.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on her renewal application that she had timely completed continuing education requirements constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand and civil penalties was entered on December 27, 2013. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent initially replied to the Provisional Order of Discipline by simply mailing in a money order to pay the two hundred and fifty dollar civil penalty. Thereafter, respondent forwarded certificates of completion for thirty hours of continuing education completed in January 2013. Nurses are required to complete thirty hours of

continuing education each biennial renewal period. N.J.A.C. 13:37-5.3. Respondent completed zero hours of continuing education within the June 1, 2009 – May 31, 2011 biennial period and thirty hours of continuing education within the June 1, 2011 – May 31, 2013 biennial period.

The Board reviewed respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as respondent did not dispute the findings of fact or conclusions of law. Inasmuch as respondent still needs to make-up thirty hours of continuing education to cure the deficiency of the June 1, 2009 – May 31, 2011 biennial period, the Board determined that suspension is warranted. Respondent was advised that she needed to demonstrate completion of an additional thirty hours of continuing education to avoid suspension and did not respond. Additionally, the Board has determined that a two hundred and fifty dollar (\$250) civil penalty for failure to timely complete required continuing education is warranted, as is a reprimand for respondent's false answer on her 2011 renewal application where she certified that she had timely completed the required continuing education.

ACCORDINGLY, IT IS on this 5th day of June, 2014,
ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended until she has documented completion of thirty hours of continuing to cure the deficiency of the June 1, 2009 – May 31, 2011 biennial period, as well as any continuing education to show that respondent is current and up-to-date with her requirements. Any hours of

continuing education completed after May 31, 2013 and applied to cure the deficiency of a previous biennial period shall not be used to satisfy the requirement of the current biennial period of June 1, 2013 – May 31, 2015. Respondent shall complete an additional thirty hours of continuing education prior to May 31, 2015 to satisfy the requirements of the current biennial period.

2. A public reprimand is hereby imposed for the violation of N.J.S.A. 45:1-21(b).

3. A civil penalty in the amount of two hundred and fifty dollars (\$250) is hereby imposed for the violation of N.J.A.C. 13:37-5.3. The Board has received respondent's two hundred and fifty dollar money order and will process same as payment of this civil penalty.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Ann Murphy, PhD, APRN, FAAN
Patricia Ann Murphy, PhD, APN
Board President